

### **REMARKS**

Applicants thank the Examiner for the thorough examination of the application. The amendments to the specification correspond to instantly amended claim 1, which finds support in Figure 1 of the application. No new matter is believed to be added to the application by this amendment.

### **Status of the Claims**

Claims 1, 4, 5 and 8 are pending in the application. Claims 2, 3, 6, 7, and 9-12 are cancelled by this amendment. Support for the amendments to claim 1 can be found in Fig. 1 of the application.

### **Rejection Under 35 U.S.C. §102(b) Over JP '385 (paragraphs 1 and 2 of the Office Action)**

Claims 1, 4-5 and 11 are rejected under 35 U.S.C. §102(b) as being anticipated by JP '385 (JP 6-213385). Applicants traverse.

### **The Present Invention and its Advantages**

The present invention pertains to an electrofusion joint having a recess. In the invention, a recess 14 is formed only at the collar portion 11a as shown in Fig. 1 of the Application. No recess is formed in the left or right direction in Fig. 1, which is the direction orthogonal to the collar portion side. The recess of the

invention is formed on the collar portion side in the entire circumference of the bases of the spigot or trunk portion and is not formed in the direction orthogonal to the collar portion side.

The invention is typically embodied by currently amended independent claim 1, which sets forth:

1. An electrofusion joint made of a thermoplastic resin comprising:
  - a saddle portion provided with heating wires embedded in its seating surface to be joined to an outer circumferential surface of a resin pipe;
  - a spigot projecting from said saddle portion or projecting in a lateral direction from a trunk portion projecting from said saddle portion and to which a branch pipe is to be connected; and
  - collar portions formed on both sides of said saddle portion so that a latch of a clamping device can be engaged; wherein a recess is formed only on a collar portion side in an entire circumference of a base of the spigot or the trunk portion.

The invention produces the advantageous effect of increasing deflection by lengthening the length of the collar portion without spoiling the strength of the bases of the spigot or trunk portion.

#### **Distinctions of the Invention Over JP '385**

JP '385 pertains to a plastic divergent saddle of a corrugated pipe. The Figures of JP '385 clearly show that a recess is formed not only at the collar portion side but also on the entire circumference of the spigot.

In contrast, claim 1 of the invention sets forth that “a recess is formed only on a collar portion side in an entire circumference of a base of the spigot or the trunk portion.” As a result, JP ‘385 clearly fails to anticipate or suggest the invention as embodied in claim 1. Claims dependent on claim 1 are patentable for at least the above reasons.

This rejection is accordingly overcome and withdrawal thereof is respectfully requested.

**Rejection Under 35 U.S.C. §103(a) Over JP ‘385 (paragraphs 3 and 4 of the Office Action)**

Claims 2, 3, 6-10 and 12 are rejected under 35 U.S.C. §103(a) as being anticipated by JP ‘385. Applicants traverse.

Claims 2, 3, 6, 7, 9, 10 and 12 are cancelled, thereby making their rejection moot.

Claim 8 depends on claim 1. The inability of claim 1 to be anticipated or suggested by JP ‘385 has been discussed above. Claim 8 by its dependency on claim 1, as a result, fails to be rendered *prima facie* obvious by JP ‘385.

Further, even if one assumes *arguendo* that the invention is obvious over JP ‘385, this obviousness would be rebutted by unexpected results of the invention. These unexpected results include the advantageous effect of increasing deflection by lengthening the length of the collar portion without spoiling the strength of the

bases of the spigot or of the trunk portion. The advantages of the invention are thus clear.

This rejection is accordingly overcome and withdrawal thereof is respectfully requested.

**Rejection Under 35 U.S.C. §103(a) Over Katz (paragraph 5 of the Office Action)**

Claims 2, 6, 7, 10 and 12 are rejected under 35 U.S.C. §103(a) as being obvious over Katz (U.S. Patent 5,577,529). Applicants traverse.

Claims 2, 6, 7, 10 and 12 are cancelled, thereby rendering this rejection moot.

**Information Disclosure Statement**

Applicants thank the Examiner for considering the Information Disclosure Statement filed November 22, 2002 and for making the initialed PTO-1449 Form of record in the application in the Office Action mailed January 29, 2003.

**Art Cited But Not Utilized By The Examiner**

The art cited but not utilized by the Examiner shows the status of the conventional art that the invention supercedes. No additional remarks are accordingly necessary.

**Foreign Priority**

The Examiner has acknowledged foreign priority most recently in the Office Action mailed July 15, 2003.

**Drawing Correction**

The Examiner has approved the proposed drawing correction in the Office Action mailed July 15, 2003.


**Conclusion**

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert E. Goozner, Ph.D. (Reg. No. 42,593) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By   
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